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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)	Examiner: Not Assigned
Lee et al.)	Art Unit: 3762
Serial No.: 10/796,328)	Confirmation No.: 2106
Filed: March 8, 2004)	Customer No.: 22430
For: EXCISIONAL BIOPSY DEVICE AND METHODS)	Total Pages: 14
Docket No.: RUBI5531D1C3)	<u>INFORMATION DISCLOSURE STATEMENT</u>


Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the reference listed on the attached form PTO/SB/08A and request that it be considered by the Examiner. Attached is a copy of the reference listed on the attached (6pgs) and an English translation of the same (6pgs).

This information disclosure statement is being filed under 37 C.F.R. §1.97(b)(3), therefore, no fees are due with this communication.

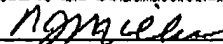
Respectfully submitted,

Date: Oct 13, 2004By: 
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CERTIFICATE OF TRANSMISSION PURSUANT TO 37 CFR § 1.8

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Nita J. Miller

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1448/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/798,328
		Filing Date	March 8, 2004
		First Named Inventor	Roberta LEE
		Art Unit	3762
		Examiner Name	Not Assigned
		Attorney Docket Number	RUBI5531D1C3
Sheet 1	of 1		

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cita No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	7*
		Country Code* Number* Kind Code* (if known)	MM-DD-YYYY			
	1	DE 195 28 440 A1	02/06/1997	Dr. Harald Kubler		✓

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP §01.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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